IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 6490 of 1999

Between:

Shri Venkateswara Milk & Curd Vendors Society, Rep. by its Secretary, Malisetti Satyanarayana
Nidadavole, West Godavari District.

..... PETITIONER

AND

1 Nidadavole Municipality, Rep. by its Commissioner
Nidadavole, West Godavari District.
2 Mohd. Ismail S/o Madina Sahib
Nedadavole, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in the nature of a Writ of Mandamus declaring the action of the respondent in forcibly collecting the market fees (Aseel) from the memebers of the petitioner society who are engaged in vending milk and its allied dairy produce and who have paid the licence fee to the 1st respondent as illegal, arbitrary, capricious, ultra-vires, against the provisions of the Municipalities Act and against the constitution guarantees and to consequently direct the respondent not to collect any market fee (aseel) from the members of the petitioner society and to pass such other and further orders as deemed fit in circumstances of the case.

Counsel for the Petitioner: MR.K.SARVA BHOUMA RAO

Counsel for the Respondent No.1: MR.E.SAMBASIVA PRATAP

The Court made the following :

ORDER:

The learned counsel appearing for the petitioners submits that the subject matter of the Writ Petition has become infructuous. His submission is placed on record and the Writ Petition is dismissed has having become infructuous. No order as to costs.

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N. V. RAMANA, J

DATED: 01.07.2005

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To

1 The Commissioner, Nidadavole Municipality,
Nidadavole, West Godavari District.
2. Two CD copies.